

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CLARENCE BROOKS,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-24-607-F
)	
GARFIELD COUNTY)	
COURTHOUSE, et al.,)	
)	
Defendants.)	

ORDER

On September 19, 2024, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation (doc. no. 14), recommending this action be dismissed without prejudice because plaintiff's claims are improperly filed in a complaint under 42 U.S.C. § 1983 and due to plaintiff's failure to comply with the court's August 19, 2024 order. Magistrate Judge Erwin advised plaintiff of his right to file an objection to the Report and Recommendation by October 7, 2024 and specifically advised him that any failure to make timely objection waives the right to appellate review of the factual and legal issues therein addressed.

To date, plaintiff has not objected to the Report and Recommendation. The court's docket reflects the Report and Recommendation was mailed to plaintiff at his last known address but was returned undeliverable. Doc. no. 15. However, pursuant to LCvR5.4, the Report and Recommendation is deemed delivered.

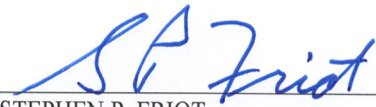
With no timely objection being filed, the court accepts, adopts, and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation (doc. no. 14) issued by United States Magistrate Judge Shon T. Erwin is **ACCEPTED, ADOPTED, and AFFIRMED**.

This action is **DISMISSED WITHOUT PREJUDICE** because plaintiff's claims are improperly filed in a complaint under 42 U.S.C. § 1983 and due to plaintiff's failure to comply with the court's August 19, 2024 order.

A separate judgment will be entered.

DATED this 17th day of October, 2024.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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